

Amendment No. 2 to HB1926

**Rudd
Signature of Sponsor**

AMEND Senate Bill No. 2204

House Bill No. 1926*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 66, Chapter 21, Part 1, is amended by adding the following as a new section:

(a) Except as provided in subsection (b), a real property owner who prevails in an action challenging the validity of a lien, including in a slander of title proceeding, shall recover:

(1) The owner's reasonable attorney's fees;

(2) Reasonable costs incurred by the owner to challenge the validity of the lien; and

(3) Liquidated damages in an amount equal to ten percent (10%) of the fair market value of the property not to exceed three hundred thousand dollars (\$300,000), in addition to any actual damages.

(b) A real property owner shall not recover under subsection (a) if the action was brought to challenge a lien that is based on a loan agreement for which the encumbered property was listed as collateral to secure the repayment of the loan.

SECTION 2. This act shall take effect July 1, 2018, the public welfare requiring it.